

## PRELIMINARY MINUTES

Notice was duly published November 1, 2016 on Page 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on November 8, 2016 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chairman Tim Schram called the regularly scheduled meeting to order at 10:01 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Gerald Vap present. Chairman Schram stated that a copy of the Nebraska Open Meetings Act is posted in the meeting room and invited the public to address the Commission. No public comments were received. No announcements were made.

Attention was called to the following proceedings:

### Tuesday, November 8, 2016:

1:30 Commission Hearing Room, Lincoln  
Rule and In the Matter of the Commission, on its own motion, seeking  
Regulation to amend Title 291, Chapter 7, Transmission Lines Rules and  
#198 Regulations, to adopt the 2017 edition of the National  
Electrical Safety Code as the official rules of the  
Commission for the construction, operation, and maintenance  
of overhead and underground electric transmission lines.  
Commissioner Rod Johnson presiding as Hearing Officer.

### Thursday, November 10, 2016:

10:30 Rosie's Banquet Hall  
1501 Center Park Road  
Lincoln, NE 68512  
C-4797/ In the Matter of the Nebraska Public Service Commission, on  
911-064/ its own motion, to investigate critical underground  
PI-199 facility issues in Nebraska. Commissioner Crystal Rhoades  
presiding as Hearing Officer:

1:30 Commission Hearing Room, Lincoln  
NUSF-92.46 In the Matter of the Nebraska Public Service Commission, on  
its own motion, seeking to administer the Nebraska  
Universal Service Fund's Broadband Program: Application to  
the Nebraska Broadband Program Received from Pinpoint  
Wireless d/b/a BLAZE Wireless;  
NUSF-92.47 In the Matter of the Nebraska Public Service Commission, on  
its own motion, seeking to administer the Nebraska  
Universal Service Fund's Broadband Program: Application to  
the Nebraska Broadband Program Received from U.S. Cellular  
Corporation; and  
NUSF-92.48 In the Matter of the Nebraska Public Service Commission, on  
its own motion, seeking to administer the Nebraska  
Universal Service Fund's Broadband Program: Application to  
the Nebraska Broadband Program Received from N.E. Colorado  
Cellular, Inc., d/b/a Viaero Wireless. Commissioner Frank  
Landis presiding as Hearing Officer.

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Monday, November 21, 2016:

10:00 Commission Hearing Room, Lincoln  
Commission Meeting

COMMUNICATIONS DEPARTMENT

C-3206 In the Matter of the Commission, on its own motion, to administer the Nebraska Internet Enhancement Fund: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order inviting full applications from pre-applicants and revising the grant timeline. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

C-4868 In the Matter of the Application of Comcast Phone of Nebraska, LLC, Philadelphia, Pennsylvania, seeking authority to operate as a competitive local exchange carrier within the State of Nebraska: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

C-4870 In the Matter of the Application of Margaret E. Wehrman, Kenesaw, seeking authority to receive advanced telecommunications service from the Blue Hill Exchange of Glenwood Telephone Membership Corporation: Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

C-4872 In the Matter of the Joint Application of AccessLine Communications Corporation, Bellevue, Washington, Oak Hill Capital Partners III, L.P., and its affiliates, New York, New York, and Madison Dearborn Capital Partners VII-A, L.P., and its affiliates, Chicago, Illinois, seeking approval of a holding company level transfer of control and of certain connected financing arrangements: Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-002 In the Matter of the Commission, on its own motion, seeking to determine the surcharge for the Enhanced Wireless 911 Fund: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an Order setting the surcharge, effective January 1, 2017. Motion passed with Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

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### TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-1        In the Matter of the Commission, on its own motion,  
PO #5        seeking to establish guidelines for administration of the  
             Nebraska Universal Service Fund: Curtis Telephone,  
             Consolidated Telecom, and Consolidated Telco, Inc.; and  
NUSF-1        In the Matter of the Commission, on its own motion, seeking  
PO #7        to establish guidelines for administration of the Nebraska  
             Universal Service Fund: Consolidated Telecom and  
             Consolidated Long Distance: Motion made by Commissioner  
Frank Landis, seconded by Commissioner Rod Johnson, to accept the  
Agreed Upon Procedure language as presented. Motion passed with  
Commissioners Crystal Rhoades, Rod Johnson, Frank Landis, Tim Schram  
and Jerry Vap voting AYE.

Sue Vanicek discussed the NUSF Late-Filed Carrier  
Remittances. Motion made by Commissioner Crystal Rhoades, seconded by  
Commissioner Frank Landis, to levy a late-fee against Selectel  
Wireless. Motion passed with Commissioners Crystal Rhoades, Rod  
Johnson, Frank Landis, Tim Schram and Jerry Van voting AYE.

### NATURAL GAS DEPARTMENT

Scott Coburn reported a total number of 8 consumer  
complaints and inquiries received at the Commission during October,  
2016. For each company: Black Hills Energy - 7; Black Hills  
Distribution - 0; and NorthWestern - 0; and Other Entities - 1.

Scott Coburn reported that no natural gas accidents were  
reported to the Commission during October, 2016. There were two  
natural gas service outages that were reported by the media - a leak  
in the area of 132nd and L Street in Omaha and the struck gas line in  
the alley between the Magee's building and the Atrium here in Lincoln.

### TRANSPORTATION DEPARTMENT

B-1790        In the Matter of Bosselman Entertainment, LLC, Grand  
             Island, seeking authority as a common carrier in Nebraska  
intrastate commerce in the transportation of passengers by bus in  
charter and special party between points statewide in Nebraska over  
irregular routes: Motion made by Commissioner Jerry Vap, seconded by  
Commissioner Rod Johnson, to enter an order dismissing the  
application. Motion passed with Commissioners Rod Johnson, Frank  
Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

B-1801        In the Matter of City Taxi, Carter Lake, IA, seeking  
Supp. 1        to amend its Certificate of Public Convenience and  
             Necessity granted in Application No. B-1801, Supplement 1:  
Motion made by Commissioner Crystal Rhoades, seconded by Commissioner  
Frank Landis, to enter an order amending the certificate. Motion  
passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades,  
Tim Schram and Jerry Vap voting AYE.

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### TRANSPORTATION DEPARTMENT (Cont.)

MCC-3191 In the Matter of Mark J. Breiner, Director of the Motor Transportation Department of the Nebraska Public Service Commission v. Kyle Christensen, Alda: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order sustaining the complaint. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

Commissioner Tim Schram asked questions regarding the B-1918 continuance.

### GENERAL ADMINISTRATION

Chairman Schram invited the public to address the Commission. No public comments were received.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to approve Commission invoices. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

Central Services-Materiel	\$	969.76
State Accounting-Central Finance		1,370.88
Hewlett Packard		760.83
Fred Massing		1,204.00
Office Depot		807.46
Voyager		1,410.66

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM:	\$	5,658.19
Alternative Hearing		
Audiology and Hearing Center		
Beltone		
Harris Communications		
Professional Hearing-Aid Services		
Teltex		
Viaero Wireless		
Weitbrecht Communications, Inc.		
White's Hearing Aid Specialists		

The following payments were made between November 2, 2016 and November 7, 2016 and should be ratified:

Crystal Rhoades	\$	1,514.16
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GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to approve the Executive Director's recommendation to approve the proposed Amendment to the Wireless Accuracy and Border Testing Agreement with Mission Critical Partners, effective August 25, 2016. Motion passed with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Jerry Vap voting AYE.

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The meeting adjourned at 10:19 a.m. with Commissioners Rod Johnson, Frank Landis, Crystal Rhoades, Tim Schram and Gerald Vap present. The next regularly scheduled meeting will be held on November 21, 2016 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on November 18, 2016.

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Chairman

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Executive Director